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UNCLAS SECTION 01 OF 02 HAVANA 000698

SIPDIS

STATE FOR WHA/CCA

FAA, PLS PASS COPY TO MIAMI ARTCC OFFICE

E.O. 12958: N/A

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SUBJECT: FAA UPDATES AIR TRAFFIC PROCEDURES WITH CUBA

1. (SBU) SUMMARY: Miami and Havana air traffic controllers signed a letter of agreement (LOA) on November 12 updating procedures for the coordination of flights between Cuban and U.S. controlled airspace. Both sides stressed the excellent working relationship between the Miami Air Route Traffic Control Center (ARTCC) and the Havana Area Control Center (ACC). The U.S. delegation agreed to review information to be provided by the Cuban delegation regarding flights operating under the rules of "due regard" that could pose a safety risk. Both sides also agreed to discuss switching from verbal to electronic flight data sharing, on the margins of a regional aviation meeting in Miami in May 2010. END SUMMARY

#### UPDATED PROCEDURES

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2. (SBU) The new LOA updates the 2005 agreement by formalizing procedural changes that had already been put into practice informally. The LOA also includes new sections to promote a "safety first culture", procedures in the event of a catastrophic loss of power, radar and communications, and clarifying procedures for flight plan deviations due to weather. The LOA complements separate agreements between the Miami ARTCC and Havana ACC regarding air traffic to and from the U.S. Naval Station at Guantanamo Bay, and an agreement for handling emergency medical evacuations from Guantanamo. The effective date of the new LOA is February 11, 2010.

3. (U) Miami ARTCC and Havana ACC hand off to each other between 500 and 600 flights daily. The Federal Aviation Administration (FAA) controls, through the Miami ARTCC, all of the airspace north of Cuba's 24N boundary. Therefore, the LOA covers not only direct flights between the United States and Cuba, but also flights between the United States and Latin America and the Caribbean that fly over Cuba, flights between Cuba and Europe, Canada and other northbound locations, and some flights between third countries that will not touch ground in either the United States or Cuba.

#### DUE REGARD

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4. (SBU) The primary concern raised by the Cuban air traffic controllers was the safety issues associated with state

(military, coast guard, etc.) aircraft flying under the rules of "due regard" into international airspace controlled by Cuba, without making contact with the Havana ACC. Due regard means that the aircraft commander of a state aircraft will operate that aircraft with "due regard" for the safety of all air and surface traffic. Flight under the "due regard" option obligates the aircraft commander to be his own air traffic controller and to separate his aircraft from all other aircraft. The U.S. delegation acknowledged this safety concern but confirmed that state aircraft operating under the rules of "due regard" in international airspace are not required to contact Cuban or U.S. air traffic controllers. The U.S. delegation agreed to review information to be provided by the Cuban delegation regarding flights operating under the rules of "due regard" that may represent a potential safety risk; however the FAA has no regulatory authority in these cases.

#### HAVANA ACC

15. (SBU) During their time in Cuba, the U.S. delegation visited the Havana ACC on November 11 per their Cuban counterparts' invitation. The Havana ACC controls all of Cuba's sovereign airspace and all of the international airspace controlled by Cuba. The Havana ACC includes eight control stations, including one controlled by the Cuban armed forces, which monitors military and state air traffic. The Havana ACC is five years old and well-equipped with modern communications, radar and back-up systems.

#### NEXT MEETINGS AND PARTICIPANTS

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16. (U) Both sides agreed to a meeting of communications specialists on the margins of a regional air traffic control meeting in Miami in May 2010 to discuss the potential for passing flight plan information electronically. Currently, flight plan information is passed verbally in a process that takes several minutes per flight.

17. (U) The Cuban delegation was made up by:

- Ms. Mirta Crespo Frasier, Director, Air Navigation Division, Civil Aeronautics Institute of Cuba (only attended final day)
- Mr. Fidel Ara Cruz, Specialist, Air Traffic Management Group, Civil Aeronautics Institute of Cuba (Head of Delegation)
- Mr. Orlando Nevot Gonzalez, Chief of Havana ACC
- Mr. Juan Jose Cruz Acosta, Area Transit Specialist (MINFAR), Havana ACC
- Mr. Jorge Castellanos, Communications Specialist, Havana ACC
- Mr. Armando Bencomo, North America Division, Foreign Ministry (MINREX)

18. (U) The U.S. delegation was composed of:

- Mr. Kenneth Thomas, Air Traffic Manager, Miami ARTCC, FAA (Head of Delegation)
- Mr. John Mineo, Support Manager, Operations Support/Planning and Requirements, Miami ARTCC, FAA
- Mr. Jim McGrath, Air Traffic Control Specialist, En Route and Oceanic, Miami ARTCC, FAA
- Mr. James Aguirre, Economic Officer, U.S. Interests Section, Havana
- Mr. Dennis Ryan, U.S. Coast Guard, U.S. Interests Section, Havana

19. (U) The FAA delegation cleared this cable.  
FARRAR